

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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In re <i>Ex Parte</i> Application of Majed Amir Al-Attabi,	:	
<i>Petitioner,</i>	:	Case No. 1:21-mc-00207
	:	
for an Order Pursuant to 28 U.S.C. § 1782 to Take	:	
Discovery for use in Foreign Proceedings Pending	:	
in the Republic of Lebanon.	:	

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**DECLARATION OF JAMES P. BONNER IN SUPPORT OF  
EX PARTE APPLICATION PURSUANT TO 28 U.S.C. SECTION 1782**

James P. Bonner, an attorney duly licensed to practice law before the Courts of the State of New York, and this Court, declares under penalties of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a member of the law firm of Fleischman Bonner & Rocco LLP, counsel for the Petitioner Majed Amir Al-Attabi in this miscellaneous proceeding. I make this declaration in support of the Petitioner’s application pursuant to 28 U.S.C. § 1782 to take discovery from JPMorgan Chase Bank, N.A. (“**JPMC Bank**”), The Bank of New York Mellon (“**BNY Mellon**”), Citibank, N.A. (“**Citibank**”), and Standard Chartered Bank (“**SC Bank**,” collectively, the “**Respondent Banks**”) for use in legal proceedings Petitioner has commenced in Beirut, Lebanon against Bank Audi S.A.L. (“**Bank Audi**”).

2. I make this declaration upon information and belief based upon my review of public records of Bank Audi, and the Respondent Banks and their related corporations.

3. Attached hereto as **Exhibit 1** is the request for documents to be attached to the subpoenas Petitioner seeks leave to serve on the Respondent Banks.

4. Attached hereto as **Exhibit 2** is a proposed form of order granting Petitioner’s instant application.

### **The Respondent Banks**

5. Attached hereto as **Exhibit 3** is a true and correct copy of a webpage retrieved from Bank Audi's website at <https://www.bankaudi.com.lb/about-the-bank/about-us/worldwide-correspondents> on February 23, 2021. It identifies Bank Audi's correspondent banking relationships worldwide. In the United States, it identifies the Respondent Banks located in New York as banks with which Bank Audi maintains correspondent banking relationships. *See* Exhibit 3 at p.3.

### **BNY Mellon**

6. Attached hereto as **Exhibit 4** is a true and correct copy of a webpage retrieved from BNY Mellon's official website at <https://www.bnymellon.com/us/en/contact-us.html> on February 23, 2021. It states that BNY Mellon's corporate headquarters are located at 240 Greenwich Street, New York, New York 10286. *See* Exhibit 4 at pp. 2, 4, 5.

### **SC Bank**

7. Attached hereto as **Exhibit 5** is a true and correct copy of a webpage retrieved from SC Bank's official website at <https://www.sc.com/us/about/> on February 23, 2021. It states that SC Bank's United States headquarters are located in New York. Attached hereto as **Exhibit 6** is a true and correct copy of a webpage retrieved from SC Bank's official website at <https://www.sc.com/en/our-locations/#americas> on February 23, 2021. It lists the address of SC Bank's United States location as 1095 Avenue of the Americas, New York, New York, 10036. *See* Exhibit 6 at p.2.

### **JPMC Bank**

8. Attached hereto as **Exhibit 7** is a true and correct copy of Exhibit 21 to the Form 10-K filed with the United States Securities and Exchange Commission ("SEC") by JPMorgan

Chase & Co. on February 25, 2020, which lists JPMorgan Chase Bank, National Association as a wholly-owned subsidiary of JPMorgan Chase & Co.

9. Attached hereto as **Exhibit 8** is a true and correct copy of a Form 8-K Report filed by JPMorgan Chase & Co. with the SEC on February 16, 2021. The Form 8-K Report indicates that JPMorgan Chase & Co. has its principal executive offices at 383 Madison Avenue, New York, New York 10179. *See* Exhibit 8 at p.1.

10. Exhibit 4 to the Declaration of Aref El-Aref, filed contemporaneously herewith, states that as of July 22, 2020, one of Bank Audi’s main bankers was “Chase Manhattan Bank (United States of America) SA.” This reference to “SA” appears to be a typographical error. U.S. banks use the designation “N.A.”—meaning National Association. I have been unable to locate any Chase Manhattan Bank in the United States. A 2008 publication by JPMorgan Chase & Co., “The History of JPMorgan Chase & Co.—200 Years of Leadership in Banking” (a true and correct copy of which is attached hereto as **Exhibit 11**) identifies The Chase Manhattan Bank as one of many “heritage banks” and predecessors of JP Morgan Chase & Co. and indicates that The Chase Manhattan Corp. merged with J.P. Morgan & Co. Incorporated in 2000. *See* Exhibit 11 at 1, 13-17, 19.

### **Citibank**

11. Attached hereto as **Exhibit 9** is a true and correct copy of Exhibit 21 to the Form 10-K filed with the SEC by Citigroup Inc. on February 21, 2020, which lists Citibank, N.A. as a wholly-owned subsidiary of Citigroup Inc. *See* Exhibit 9 at p.1.

12. Annexed hereto as **Exhibit 10** is a true and correct copy of a webpage retrieved from the official website of Citigroup Inc. at <https://www.citigroup.com/citi/about/countries-and-jurisdictions/united-states-usa.html> on February 19, 2021. It states that Citigroup Inc.’s global

corporate headquarters are located at 388 Greenwich Street, New York, New York 10013. *See* Exhibit 10 at pp. 1, 2.

13. There has been no prior request made for the relief requested in Petitioner's application.

I declare under penalties of perjury pursuant to 28 U.S.C. § 1786 that the foregoing is true and correct.

Executed on February 26, 2021.

/s/ James P. Bonner